

IN SENATE OF THE UNITED STATES.

DECEMBER 14, 1820.

Mr. WILSON, from the Committee of Claims, to whom was referred the petition of Major Charles Larabee,

REPORTED:

That the petitioner was a lieutenant in the 4th regiment of United States infantry, at the time the losses took place for which he prays indemnity. That these losses were,

1st. His private baggage, valued at 133 dollars and 50 cents, which was put on board the Cayuhoga packet July 1, 1812, at the Miami of the Lakes, by order of Gen. Hull, and was captured, with the vessel, by the British, on the way to Detroit.

2d. A horse, which cost him 123 dollars, taken by the British when they captured Detroit.

3d. His private baggage, valued at 319 dollars and 87 cents, which was lost on board of the British brig Detroit, which brig was captured by lieutenant Elliott, of the United States navy; but, grounding under the guns of a British battery, was abandoned so hastily as to prevent Major Larabee from saving his baggage.

Major Larabee had the misfortune to be wounded at the battle of Brownstown, was obliged to suffer the amputation of his left arm, and was confined to his room when Detroit was surrendered to the enemy. He supposes he might have recovered the baggage first mentioned, and his horse, had it not been for this wound, and his consequent confinement; as many officers, he alleges, by proceeding to Malden, did recover their property, in whole, or in part. He also thinks he might have carried off his trunk from on board the Detroit, as others did theirs, but for the loss of his arm.

The statement of facts made by the petitioner, in relation to the amount of his losses, and the circumstances attending them, is corroborated in its most important particulars, by the testimony of Lieutenant Colonel James Miller, Inspector General Josiah Snelling, and others.

The committee, regarding Major Larabee as one who has faithfully served his country, and suffered severely in her service, regret that a sense of duty will not permit them to gratify their feelings by recommending an allowance of his claim.

But the committee recollect no instance where a similar claim has been allowed by Congress; and they well remember that that of sergeant Riddle, for remuneration for baggage put on board of the Cayuhoga packet at the same time, and by the same order, with that of Major Larabee's, and lost in the same manner, was rejected by the Senate, after an ample discussion of its merits. The committee cannot consent to the establishment of a precedent which would tend to make the government insurers of the baggage of all the officers of the army, against the chances of war, and subject it not only to numerous losses, but, also, probably, to many impositions. If the plea of the petitioner, that his wound prevented him from saving or recovering his property, and, therefore, the government ought to indemnify him for it, were to be admitted, others who were confined by sickness, or absent on duty, might claim a like indemnity. In short, the committee cannot find themselves justified in recommending an allowance of this claim; but, on the contrary, feel constrained to submit the following resolution:

Resolved, That the petitioner have leave to withdraw his papers.